

UNOFFICIAL VERSION

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MONDAY, FEBRUARY 6, 2012

FIFTY-FIRST LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Rabbi Philip "Flip" Rice of Congregation Micah in Brentwood, Tennessee, a guest of Senator Henry.

PLEDGE OF ALLEGIANCE

Senator Henry led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

COMMUNICATION

February 6, 2012

The Honorable Ron Ramsey
Speaker of the Senate
One Legislative Plaza
Nashville, Tennessee 37243

Dear Speaker Ramsey:

This is to request your excuse for my absence from Session Monday, February 6, 2012. I am ill. I will make every effort to be in Session on Wednesday.

I appreciate your consideration of this request.

Sincerely,

/s/ Jim Kyle

APPROVED: Lieutenant Governor
Ron Ramsey

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 575 through 577** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 575 by Senator Burks.
Memorials, Retirement -- Vic Humeniuk.

Senate Joint Resolution No. 576 by Senator Burks.
Memorials, Recognition -- Veterans Honor Guard.

Senate Joint Resolution No. 577 by Senator Henry.
Memorials, Death -- Angelo Vic Varallo.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 618, 619, 621, 622, 626 through 629 and 631 through 633**; and **Senate Joint Resolution No. 574** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 618 -- Memorials, Retirement -- Sergeant Terrence Smithson.

The Speaker announced that he had referred House Joint Resolution No. 618 to the Committee on Calendar.

House Joint Resolution No. 619 -- Memorials, Death -- Joye Mathes McCleish Siler.

The Speaker announced that he had referred House Joint Resolution No. 619 to the Committee on Calendar.

House Joint Resolution No. 621 -- Memorials, Death -- Judge Robert L. Moon.

The Speaker announced that he had referred House Joint Resolution No. 621 to the Committee on Calendar.

House Joint Resolution No. 622 -- Memorials, Death -- Rees Skillern.

The Speaker announced that he had referred House Joint Resolution No. 622 to the Committee on Calendar.

House Joint Resolution No. 626 -- Memorials, Recognition -- AIDNET of Greene County.

The Speaker announced that he had referred House Joint Resolution No. 626 to the Committee on Calendar.

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House Joint Resolution No. 627 -- Memorials, Recognition -- David Crockett Elementary School, National Title I Distinguished School.

The Speaker announced that he had referred House Joint Resolution No. 627 to the Committee on Calendar.

House Joint Resolution No. 628 -- Memorials, Professional Achievement -- Bradley Black, 2010 Farmer of the Year.

The Speaker announced that he had referred House Joint Resolution No. 628 to the Committee on Calendar.

House Joint Resolution No. 629 -- Memorials, Recognition -- David Moore.

The Speaker announced that he had referred House Joint Resolution No. 629 to the Committee on Calendar.

House Joint Resolution No. 631 -- Memorials, Recognition -- "National Wear Red Day", February 3, 2012.

The Speaker announced that he had referred House Joint Resolution No. 631 to the Committee on Calendar.

House Joint Resolution No. 632 -- Memorials, Sports -- Christian Academy of Knoxville, 2011 TSSAA Class A-AA State Girls' Soccer Champions.

The Speaker announced that he had referred House Joint Resolution No. 632 to the Committee on Calendar.

House Joint Resolution No. 633 -- Memorials, Sports -- Christian Academy of Knoxville, 2011 TSSAA Class 3A State Football Champions.

The Speaker announced that he had referred House Joint Resolution No. 633 to the Committee on Calendar.

Senate Joint Resolution No. 574 -- Memorials, Recognition -- Smith County Fair, 2011 State Champion Fair Division A.

The Speaker announced that he had referred Senate Joint Resolution No. 574 to the Committee on Calendar.

NOTICES

MESSAGE FROM THE HOUSE

February 2, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 551, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

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THE REPORT OF THE EMPLOYEE MISCLASSIFICATION
ADVISORY TASK FORCE

The report was received and filed with the Clerk.

CONSENT CALENDAR NO. 1

Objections having been raised, the following resolutions were placed at the heel of the calendar for Thursday, February 9, 2012, pursuant to Rule 38: **Senate Joint Resolution No. 561**; and **House Joint Resolution No. 610**.

Senate Joint Resolution No. 562 -- Memorials, Professional Achievement -- Dennis Vonderfecht, 2012 Ned R. McWherter Leadership Award.

Senate Joint Resolution No. 563 -- Memorials, Sports -- Lipscomb University volleyball team, 2011 Atlantic Sun Conference Tournament Champions.

Senate Joint Resolution No. 566 -- Memorials, Death -- Lowell Smith.

Senate Joint Resolution No. 570 -- Memorials, Sports -- Tennessee Technological University football team.

Senate Joint Resolution No. 573 -- Memorials, Recognition -- First Presbyterian Church, 200th anniversary.

House Joint Resolution No. 605 -- Memorials, Recognition -- Michael Payne, Jr.

House Joint Resolution No. 608 -- Memorials, Recognition -- J.R. Moon Pencil Company.

House Joint Resolution No. 611 -- Memorials, Retirement -- Senior Master Sergeant James H. Horn.

House Joint Resolution No. 613 -- Memorials, Recognition -- Old Washington, Tennessee, Bicentennial.

House Joint Resolution No. 615 -- Memorials, Death -- John P. Davis, Jr.

House Joint Resolution No. 616 -- Memorials, Recognition -- Texas Brigade.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 2204 -- Law Enforcement -- As introduced, extends provisions regarding employee compensation and indemnification for officers killed in the line of duty to police officers employed by the state. Amends TCA Section 7-51-208(a)(2).

Senate Bill No. 2229 -- Mental Health, Dept. of -- As introduced, changes the name of the department to the "department of mental health and substance abuse services". Amends TCA Title 2; Title 3; Title 4; Title 8; Title 12; Title 33; Title 36; Title 37; Title 39; Title 40; Title 41; Title 45; Title 49; Title 50; Title 53; Title 55; Title 56; Title 57; Title 63; Title 67; Title 68 and Title 71.

Senate Bill No. 2312 -- Sunset Laws -- As introduced, extends the department of intellectual and developmental disabilities, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.

Senate Bill No. 2314 -- Sunset Laws -- As introduced, extends the board for licensing healthcare facilities, June 30, 2016; requires comptroller to issue questions and answers to board regarding surveyors in response to CMS audit. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11, Part 2.

Senate Bill No. 2362 -- State Symbols -- As introduced, establishes the eastern red cedar as the official state evergreen tree. Amends TCA Title 4, Chapter 1.

Senate Bill No. 2384 -- County Government -- As introduced, prohibits conflicts of interest in contractual services in regard to county officers in same manner as interests in material or equipment are prohibited. Amends TCA Section 5-21-121 and Section 54-7-203.

Senate Bill No. 2477 -- Highway Signs -- As introduced, names bridge in Sullivan County in honor of the late Richard Lee Edwards, Sr.

Senate Bill No. 2576 -- Highway Signs -- As introduced, designates a certain segment of State Highway 28 in Sequatchie and Marion counties as "Veterans Memorial Park Highway".

Senate Bill No. 2799 -- Sunset Laws -- As introduced, creates sunrise provision for the interstate nurse licensure compact, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 3.

House Joint Resolution No. 199 -- Memorials, Congress -- Urges Congress to use Tennessee's budgetary policy as a model for the federal government.

House Joint Resolution No. 567 -- Naming and Designating -- "Certified Registered Nurse Anesthetists Week", January 22-28, 2012.

Senator Faulk moved that all House Joint Resolutions be concurred in; and all Senate Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey,

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McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 176 -- Sunset Laws -- As introduced, extends the Four Lake regional industrial developmental authority, June 30, 2016. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 5, Part 2.

On motion, Senate Bill No. 176 was made to conform with **House Bill No. 629**.

On motion, House Bill No. 629, on same subject, was substituted for Senate Bill No. 176.

Senator Bell moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-232(a), is amended by deleting subdivision (22) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-235(a), is amended by adding the following language as a new subdivision thereto, as follows:

() Four Lake regional industrial developmental authority, created by § 64-5-201;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 629**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2193 -- Safety -- As introduced, transfers Title 68, Chapter 103, relative to working in proximity to high-voltage lines, into Title 50, Chapter 3, relative to the "Occupational Health and Safety Act", effective July 1, 2012. Amends TCA Title 50 and Title 68, Chapter 103.

Senate Bill No. 2193 passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2203 -- Codes -- As introduced, adopts the 2010 ADA Standards for Accessible Design as the standards to be followed to make a building accessible to those with physical disabilities when constructing or altering a public building. Amends TCA Section 68-120-204(a)(1).

Senate Bill No. 2203 passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2205 -- Correction, Dept. of -- As introduced, revises provisions governing the exercise of police powers by department employees and governing the authority of certain department employees to carry firearms. Amends TCA Section 4-3-609 and Section 39-17-1350.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by inserting the following language between the first and second sentences of subdivision (b)(1) of the amendatory language of Section 1:

The department's internal standards shall include, at a minimum, forty (40) hours initial training and eight (8) hours annual in-service training in firearms qualification administered by an instructor with certification from the Tennessee Correction Academy's firearms instructor program or from a police firearms instructor training program conducted or sanctioned by the Federal Bureau of Investigation or the National Rifle Association.

AND FURTHER AMEND by deleting from subsection (d) of the amendatory language of Section 2 the language:

assistant or deputy commissioner, or commissioner who has successfully completed firearms training in accordance with Department of Correction standards

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and substituting instead the language:

assistant or deputy commissioner, or commissioner who has successfully completed firearms training in accordance with Department of Correction standards, which standards shall include, at a minimum, forty (40) hours initial training and eight (8) hours annual in-service training in firearms qualification administered by an instructor with certification from the Tennessee Correction Academy's firearms instructor program or from a police firearms instructor training program conducted or sanctioned by the Federal Bureau of Investigation or the National Rifle Association,

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2205**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Watson moved that **Senate Bill No. 2207** be placed on the Calendar for Thursday, February 9, 2012, which motion prevailed.

Senate Bill No. 2231 -- Holidays and Days of Special Observance -- As introduced, designates March 3 of each year to be observed as "Tennessee National Guard Day". Amends TCA Title 15, Chapter 2.

Senate Bill No. 2231 passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2244 -- Advertising -- As introduced, revises provisions governing the annual renewal of outdoor advertising permits. Amends TCA Section 54-21-104.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-21-104(c), is amended by designating the existing language as subdivision (1) and by adding the following language as a new subdivision (2):

(2) In the event that a permit has not been renewed by December 31 for the following year as required by subdivision (c)(1), the permit shall not be considered void until the commissioner has given the permit holder notice of the failure to renew and the opportunity to correct the unlawfulness, as provided in § 54-21-105(b). The failure to renew may be remedied by submitting a late renewal form and paying the annual permit renewal fee together with a late fee, in the total amount of two hundred dollars (\$200), within thirty (30) days of receipt of the notice. If a permit holder fails to renew the permit within this thirty-day notice period, then the permit shall be void and the outdoor advertising device shall be considered unlawful and subject to removal as further provided in § 54-21-105. The notice given by the commissioner shall include the requirements for renewal and consequences of failure to renew as provided by this subdivision (c)(2).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2244**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2360 -- Courts -- As introduced, deletes the provisions relating to the defense of unclean hands. Amends TCA Title 16.

Senator Overbey declared Rule 13 on **Senate Bill No. 2360**.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 16, Chapter 1, Part 2, is amended by deleting the part in its entirety.

SECTION 2. It is the legislative intent of this act to repeal the statutory codification of the equitable defense of unclean hands, codified in Title 16, Chapter 1, Part 2. It is the further

legislative intent, consistent with the original enactment's intent, that the Common Law Equitable Doctrine shall remain in full force and effect, unchanged and unadulterated, by the original enactment or this repeal.

SECTION 3. Any person affected by the repeal of the statutory codification of the equitable defense of unclean hands having a claim arising out of any act or omission resulting from such codification shall bring suit in chancery or circuit court alleging such claim, counterclaim, or defense to a claim not later than one year after the effective date of this act, or forever be barred from asserting such claim under Title 16, Chapter 1, Part 2, as a claim, counterclaim, or defense to a claim. The limitation of this section shall not affect any claim or defense or application of any other equitable doctrine arising under the common law.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2360**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson and Yager--28.

A motion to reconsider was tabled.

Senate Bill No. 2566 -- Sentencing -- As introduced, makes elected and appointed public officials ineligible for diversion for criminal offenses committed in their official capacity or that involve the duties of their offices. Amends TCA Title 39 and Title 40.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the directory language in Section 2 and substituting the following:

SECTION 2. Tennessee Code Annotated, Section 40-35-313, is amended by adding the following as a new, appropriately designated subdivision of the existing subdivision (a)(1)(B)(i):

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2566**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0
Present, not voting . . .	3

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Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Herron, Johnson, Kelsey, Ketron, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--28.

Senators present and not voting were: Haynes, Henry and Marrero--3.

A motion to reconsider was tabled.

Senate Bill No. 2650 -- Travel Regulations -- As introduced, authorizes the issuance of overdimensional permits by TDOT to certain qualified vehicles to travel on the interstate at night. Amends TCA Section 55-7-205.

Senator Tracy moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-205, is amended by adding the following as a new subsection thereto:

(l)(1) Notwithstanding any other law or regulation to the contrary, a special permit issued for a motor vehicle exceeding the length limitations established in § 55-7-201(c) for truck-tractor and semitrailer combinations shall allow for movement at night, provided that:

(A) The total length of the motor vehicle and load does not exceed eighty-five feet (85');

(B) The movement is confined to the interstate highway system, state highways with full control of access, or the shortest reasonable route to and from any such highway; and

(C) The load is marked as follows:

(i) On each side of the projecting load, one (1) red side marker lamp, visible from the side, located so as to indicate maximum overhang;

(ii) On the rear of the projecting load, two (2) red lamps, visible from the rear, one (1) at each side; and two (2) red reflectors, visible from the rear, (1) one at each side, located so as to indicate maximum width.

(2) This subsection (l) shall only apply to a single truck-tractor and semitrailer combination.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2650**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson and Yager--30.

Senator voting no was: Herron--1.

A motion to reconsider was tabled.

House Joint Resolution No. 601 -- Memorials, Public Service -- Bill Jim Davis.

House Joint Resolution No. 601 was concurred in by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

MOTION

Senator McNally moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 632**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 632 -- Memorials, Sports -- Christian Academy of Knoxville, 2011 TSSAA Class A-AA State Girls' Soccer Champions.

On motion of Senator McNally, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 632** was concurred in.

A motion to reconsider was tabled.

MOTION

Senator McNally moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 633**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 633 -- Memorials, Sports -- Christian Academy of Knoxville, 2011 TSSAA Class 3A State Football Champions.

On motion of Senator McNally, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 633** was concurred in.

A motion to reconsider was tabled.

MOTION

On motion of Senator Bell, his name was added as prime sponsor of **Senate Bill No. 176**.

On motion of Senators Burks, Gresham, Harper, Marrero and Tracy, their names were added as sponsors of **Senate Bill No. 2204**.

On motion of Senator Faulk, his name was added as sponsor of **Senate Bill No. 2205**.

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 2229; and House Joint Resolution No. 613**.

On motion of Senators Herron, Barnes, Beavers, Bell, Berke, Burks, Campfield, Finney, Ford, Harper, Haynes, Henry, Johnson, Kelsey, Marrero, Massey, McNally, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Bill No. 2231**.

On motion of Senators Finney and Watson, their names were added as sponsors of **Senate Bill No. 2360**.

On motion of Senators Barnes, Massey and McNally, their names were added as sponsors of **Senate Bill No. 2566**.

On motion of Senator McNally, his name was added as sponsor of **Senate Bill No. 2650; and House Joint Resolution No. 605**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bill No. 2663; and House Joint Resolutions Nos. 199 and 611**.

On motion of Senator Massey, her name was added as sponsor of **Senate Bill No. 3122**.

On motion of Senators Ford, Haynes and Henry, their names were added as sponsors of **Senate Joint Resolution No. 561**.

On motion of Senator Ford, her name was added as sponsor of **Senate Joint Resolutions Nos. 562 and 563**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Joint Resolutions Nos. 566 and 573**.

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On motion of Senators Tracy, Barnes, Beavers, Bell, Berke, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 570**.

On motion of Senator Crowe, his name was added as prime sponsor of **Senate Resolution No. 71**.

On motion of Senators Overbey, Crowe, Harper, Herron and Marrero, their names were added as sponsors of **House Joint Resolution No. 567**.

On motion of Senators Norris, Henry, Herron, Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 601**.

On motion of Senator Overbey, his name was added as sponsor of **House Joint Resolution No. 615**.

On motion of Senators Gresham and Herron, their names were added as sponsors of **House Joint Resolution No. 616**.

On motion of Senators Campfield, Massey, McNally and Overbey, their names were added as sponsors of **House Joint Resolutions Nos. 632 and 633**.

On motion of Senator Bell, his name was added as sponsor of **Senate Bills Nos. 3714 and 3715**.

ENGROSSED BILLS

February 6, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2193, 2203, 2204, 2205, 2229, 2231, 2244, 2312, 2314, 2360, 2362, 2384, 2477, 2566, 2576, 2650 and 2799; and Senate Joint Resolutions Nos. 562, 563, 566, 570 and 573; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk.

MESSAGE FROM THE HOUSE

February 6, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 630 and 637, adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

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MESSAGE FROM THE HOUSE

February 6, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 553, 554, 555, 556, 557, 558, 559 and 560; concurred in by the House.

JOE MCCORD,
Chief Clerk.

ENROLLED BILLS

February 7, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 553, 554, 555, 556, 557, 558, 559 and 560; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk.

MESSAGE FROM THE HOUSE

February 6, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2035, for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 7, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 199, 567, 574, 601, 605, 608, 611, 613, 615, 616, 632 and 633; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

February 7, 2012

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 553, 554, 555, 556, 557, 558, 559 and 560.

SIGNED

February 7, 2012

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 199, 567, 574, 601, 605, 608, 611, 613, 615, 616, 632 and 633.

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MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 553, 554, 555, 556, 557, 558, 559 and 560; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

REPORT OF DEPUTY CHIEF CLERK

February 7, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 553, 554, 555, 556, 557, 558, 559 and 560; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk.

MESSAGE FROM THE GOVERNOR

February 6, 2012

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 520, 521, 522, 524, 525, 527, 531, 532, 534, 535, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551 and 565; with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 9, 2012: Senate Joint Resolution No. 574; and House Joint Resolutions Nos. 618, 619, 621, 622, 626, 627, 628, 629 and 631.

This the 7th day of February, 2012.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 9, 2012: Senate Bills Nos. 2198, 2418 and 2885; and Senate Joint Resolution No. 523.

This the 7th day of February, 2012.
MIKE FAULK, Chairperson.

MONDAY, FEBRUARY 6, 2012 -- 51ST LEGISLATIVE DAY

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 9, 2012: Senate Bills Nos. 2175, 2218, 2220, 2265, 2290 and 2207; Senate Joint Resolution No. 561; and House Joint Resolution No. 610.

This the 7th day of February, 2012.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bill and it has been set on the Message Calendar for Thursday, February 9, 2012: Senate Bill No. 551.

This the 7th day of February, 2012.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 9:00 a.m., Thursday, February 9, 2012, which motion prevailed.